

## REMARKS

Claims 1-11 are pending. Claim 1 is an independent claim and claims 2-11 depend directly or indirectly from claim 1. In Applicant's Response to the Office Action Dated January 12, 2007, which response was filed on May 8, 2007, the Applicant made various arguments against the anticipation rejection of claim 1 over Kumeta et al. (U.S. Patent 4,615,107). In particular, the Applicant asserted that “[a]ccording to claim 1, a first plurality of electrochemical cell components are secured into a first sub-stack and a second plurality of electrochemical cell components are secured into a second sub-stack” and that “[t]hen, the first and second sub-stacks are secured together.” (Response dated May 8, 2007, page 6, lines 18-20). However, the Examiner's comments in the Final Office Action dated August 31, 2007 make it clear that there was a misunderstanding that the word “then” actually was a part of claim 1 and that the order of the steps in claim 1 was in fact specified. Accordingly, the Applicant believes that these arguments are commensurate in scope with the claim language.

Since this argument is directed to the patentability of independent claim 1, and no other rejections of claim 1 appear in the office action, Applicant requests reconsideration of the arguments made in the previous response. The Applicant believes that the claims are in condition for allowance.

Although the following rejections were repeated in the Office Action dated August 31, 2007, Applicant reasserts the arguments made in the Response of May 8, 2007 and requests reconsideration:

Claims 1-3, 6, 8, and 9 stand rejected under 35 U.S.C. 102(b) as being anticipated by Kumeta et al. (U.S. Patent 4,615,107).

Claims 5 and 7 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Kumeta et al. (U.S. Patent 4,615,107) in view of Mease (U.S. Patent 6,358,641 B1).

Claims 10 and 11 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Kumeta et al. (U.S. Patent 4,615,107) in view of Ernst et al. (U.S. Patent 5,945,232).

Claim 4 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Kumeta et al (U.S. Patent 4,615,107) in view of Raiser et al. (U.S. Publication 2002/0192521 A1).

In the event there are additional charges in connection with the filing of this Response, the Commissioner is hereby authorized to charge the Deposit Account No. 50-0714/LYNN/0177 of the firm of the below-signed attorney in the amount of any necessary fee.

Respectfully submitted,

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